

## [CHAPTER 632]

## AN ACT

To amend an Act of Congress entitled "An Act to regulate the employment of minors within the District of Columbia", approved May 29, 1928.

December 26, 1941  
[H. R. 1047]  
[Public Law 380]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress entitled "An Act to regulate the employment of minors within the District of Columbia", approved May 29, 1928, is amended by inserting before the word "musician" the word "street".

Employment of  
minors, D. C.  
45 Stat. 1000.  
D. C. Code § 36-207.

SEC. 2. Such Act is further amended by inserting after Section 7 the following new section:

"SEC. 7a. The Board of Education of the District of Columbia, or a duly authorized agent thereof, is authorized to issue a work permit to any minor under eighteen years of age, said permit authorizing and permitting the appearance of such minor on the stage of a duly licensed legitimate or vaudeville theater within the District of Columbia, in any professional traveling theatrical production, or act, or in a musical recital or concert: *Provided*, That such minor is at least fourteen years of age and has completed eight grades of elementary instruction or a course of study deemed by the Board of Education equivalent thereto: *And provided further*, That such minor shall not appear on said stage in more than two performances in any one day, nor more than three hours in any one day, nor more than six days in any week, nor more than twelve hours in any week, and shall not appear on said stage after the hour of 11 post-meridian. Application for such permit should be made by the parent or guardian of such minor to the Board of Education of the District of Columbia or a duly authorized agent thereof, at least fourteen days in advance of such appearance. The Board or its agent may issue a permit if satisfied that the parent or guardian of such minor has made adequate provision for the educational instruction of such minor and for safeguarding his health and for the proper supervision of such minor.

Work permits to  
minors for stage  
appearances, etc.

*Provisos.*  
Age and education.

Performances.

Application for  
permit.

"The Board is authorized to promulgate such rules and regulations as may be necessary to protect properly the health, morals, and safety of minors coming within the purview of this Act."

SEC. 3. Nothing in this Act shall be construed as amending, altering, or repealing the provisions of Section 7 of the Act of May 29, 1928.

Effect on designated  
section.  
45 Stat. 1000.  
D. C. Code § 36-207.

Approved, December 26, 1941.

## [CHAPTER 633]

## AN ACT

To amend the Act entitled "An Act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes", approved October 6, 1917 (40 Stat. 385).

December 26, 1941  
[H. R. 3019]  
[Public Law 381]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the title of the Act of October 6, 1917, is hereby amended to read as follows: "An Act to regulate the manufacture, distribution, storage, use, and possession of explosives, to authorize regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes."

Federal Explosives  
Act.  
Amendment of title  
of Act of Oct. 6, 1917.  
40 Stat. 385.  
50 U. S. C., ch. 8.

SEC. 2. The Act of October 6, 1917, is hereby amended to read as follows:

"That as used in this Act—

"(1) The terms 'explosive' and 'explosives' shall mean gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and

"Explosive" and  
"explosives."

other detonating agents, smokeless powders, and any chemical compounds or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound or mixture or any part thereof may cause an explosion. The term 'explosive' or 'explosives' shall not include cartridges for small arms or shotguns, or such fireworks or signalling devices as are designated by the Director, nor shall such terms include ships' signal or emergency equipment.

"Ingredients."

"(2) The term 'ingredients' shall mean phosphorus and active oxidizing chemicals that can be combined with one or more reducing materials to produce an explosive.

"Person."

"(3) The term 'person' shall include executive departments, independent establishments, and other agencies of the United States, the District of Columbia, Territories, and insular possessions of the United States, States, and municipalities and other political subdivisions thereof; and individuals, partnerships, associations, societies, and corporations.

"Director."

"(4) The term 'Director' shall mean the Director of the Bureau of Mines.

Licensing requirements.

"SEC. 2. No person shall manufacture, distribute, store, sell, issue, give, or otherwise dispose of explosives or ingredients unless such person is licensed under this Act.

"Except as provided in section 4, no person shall distribute, sell, issue, give, or otherwise dispose of explosives or ingredients to a person who is not licensed under this Act.

"Except as provided in section 4, no person shall possess, purchase, accept, receive, acquire, or use explosives or ingredients unless such person is licensed under this Act.

Nonapplicability of provisions.  
Ingredients in small quantities.

Explosives, etc., in transit.

"SEC. 3. The purchase or possession of ingredients when purchased or held in small quantities and not used or intended to be used in the manufacture of explosives shall not be subject to the provisions of this Act. This Act shall not apply to explosives or ingredients which are in transit upon vessels, railroad cars, or conveyances in conformity with the statutory provisions or rules and regulations of the Interstate Commerce Commission, or regulations of the Secretary of Commerce. This Act shall not be construed to prevent the manufacture under the authority of the United States of explosives for, or their sale to or possession by, the military or naval service of the United States or the Federal Bureau of Investigation. This Act shall not apply to arsenals, navy yards, depots or other establishments owned by, or operated by or on behalf of, the United States. The Director may, however, cooperate with the heads of departments having jurisdiction over such establishments. Nothing in this Act shall be construed to modify or otherwise affect in any way the authority of the Federal Bureau of Investigation with respect to the investigation of explosions, accidents, or fires.

Manufacture for Government use.

Arsenals, navy yards, etc.

Authority of F. B. I. to investigate explosions.

Sale or issue by licensed employee.

"SEC. 4. A superintendent, foreman, or other duly authorized employee at a mine, quarry, or other work, may, when licensed so to do, sell or issue to any employee under him such amount of explosives or ingredients as may be required by that employee in the performance of his duties. The employee may purchase or accept the explosives or ingredients so sold or issued, but the person so selling or issuing the same shall see that any unused explosives or ingredients are returned and that no explosives or ingredients are taken by the employee to any point not necessary to the carrying on of his duties.

"SEC. 5. Each person licensed to sell, issue, or otherwise dispose of explosives or ingredients shall keep a complete, itemized, and accurate record showing each person to whom and the purpose for which

Itemized records to be kept by licensee.

explosives or ingredients are sold, issued, or otherwise disposed of; the quantity and kind of explosives or ingredients sold, issued, or otherwise disposed of; and the date of such sale, issuance, or other disposition, and such other information as the Director by regulation may require. The record shall be sworn to and furnished to the Director or his authorized representatives whenever requested.

"SEC. 6. The Director is hereby authorized to issue licenses as follows:

"(a) Manufacturer's license, authorizing the manufacture, possession, and sale of explosives and ingredients.

"(b) Vendor's license, authorizing the purchase, possession, and sale of explosives or ingredients.

"(c) Purchaser's license, authorizing the purchase, possession, and use of explosives and ingredients.

"(d) Foreman's license, authorizing the purchase and possession of explosives and ingredients and the sale and issuance of explosives and ingredients to employees as provided in section 4.

"(e) Analyst's, educator's, inventor's, and investigator's licenses, authorizing the purchase, manufacture, possession, testing, and disposal of explosives and ingredients.

"Nothing contained in this Act shall be construed as requiring a license under this Act for the exportation or importation of explosives or ingredients, license for which is required under the provisions of the joint resolution of Congress approved January 31, 1922 (42 Stat. 361), the joint resolution of Congress approved November 4, 1939 (54 Stat. 4), or the Act of Congress approved July 2, 1940 (54 Stat. 712), or any proclamation or regulation issued pursuant thereto: *Provided, however,* That in all such cases the exporter or importer shall duly notify the Director of the character and quantity of the explosives or ingredients so exported or imported, and any other information the Director or any of his agents may from time to time require. No license under this Act shall be required for the exportation of explosives or ingredients of explosives which constitute defense articles within the meaning of section 2 of the Act of March 11, 1941 (Public Law 11, Seventy-seventh Congress), and which, under authority of section 3 (a) (2) of that Act have been sold, transferred, exchanged, leased, loaned, or otherwise disposed of to the government of any country whose defense the President deems vital to the defense of the United States.

"SEC. 7. The Director may designate as licensing agents persons authorized by law to administer oaths and may authorize such agents to issue vendor's, purchaser's, and foreman's licenses; and wherever possible the Director shall select as licensing agents qualified officers or employees of the several States or of political subdivisions or public bodies thereof. Applications for vendor's, purchaser's, and foreman's licenses may be made to the licensing agent in the district within which the explosives or ingredients are to be sold or used. Such agents may collect a fee of 25 cents for each license issued, and shall be entitled to no other compensation from the United States for their services.

"Licensing agents shall keep an accurate record of all licenses issued, in manner and form to be prescribed by the Director, and shall make reports from time to time as the Director may require. The Director shall furnish to the agents the necessary blanks and blank records. The Director may revoke the authority of licensing agents, and all licenses issued by them shall be subject to revocation by the Director as provided in section 8.

"SEC. 8. The Director shall provide for the renewal of licenses issued under this Act. No license shall be valid for more than one

Classes of licenses.

Manufacturer's.

Vendor's.

Purchaser's.

Foreman's.

Technical.

Exportation or importation.

22 U. S. C. §§ 409, 410, 441-457.

50 U. S. C., app. § 701.  
*Proviso.*  
Notice to Director.

No license required for exporting defense articles.

*Ante*, p. 31.

Licensing agents.

Records and reports.

Revocation of agent's authority.

Renewal of licenses.

## Expiration.

year. All licenses outstanding on the termination of a war in which the United States may be engaged or on the day set by Presidential proclamation for the suspension of the operation of the provisions of this Act shall expire on such termination or on that day.

## Refusal to issue license.

"The Director or a licensing agent may refuse to issue a license when in his opinion, based on facts of which he has knowledge or reliable information, the applicant (a) is not sufficiently reliable and experienced to be authorized to manufacture or handle explosives and ingredients; or (b) is disloyal or hostile to the United States, or if the applicant is a firm, association, society, or corporation, its officers, directors, or controlling shareholders or members are disloyal or hostile to the United States.

## Revocation of licenses.

"When the Director has reason to believe on like grounds that any licensee is disloyal or hostile to the United States, he may revoke all licenses issued to such licensee. If after notice and an opportunity to be heard, the Director finds that a licensee has violated any of the provisions of this Act or of the regulations issued hereunder, the Director may revoke all licenses issued to such licensee.

## Appeal to Council of National Defense.

"An applicant to whom a license is refused by the Director or any licensee whose license is revoked by the Director may within thirty days after notification of the rejection of his application or the revocation of his license apply to the Council of National Defense for such license or the cancelation of such revocation. The Council shall make its order upon the Director either to grant or to withhold the license, or shall affirm or reverse the revocation.

## Appeal to regional officer.

"An applicant to whom a license is refused by a licensing agent may within thirty days after notification of the rejection of his application apply to a regional officer for such license and the officer shall grant or withhold the license. The Director shall designate officials of the Bureau of Mines stationed in the field to pass on such appeals. If a regional officer upholds a licensing agent, the applicant may appeal to the Director.

## Appeal to Director.

## Application for license.

"SEC. 9. Unless the explosives and ingredients are to be purchased or accepted pursuant to section 4, any person desiring to manufacture, distribute, store, sell, issue, give, possess, purchase, accept, receive, acquire, or use explosives or ingredients shall make application for a license under this Act. The applicant under oath shall state his name; place of birth; whether a citizen of the United States, whether native-born or naturalized citizen of the United States; if a naturalized citizen, the date and place of naturalization; if a firm, association, society, or corporation, the names, nationality, and addresses of its officers and directors, and the nationality of the controlling stockholders or members; business in which engaged; the amount and kind of explosives or ingredients which during the past six months have been acquired, disposed of, or used by him; the amount and kind of explosives or ingredients now on hand; whether sales, if any, have been made to jobbers, wholesalers, retailers, or consumers; the kind of license to be issued, and the kind and amount of explosives or ingredients which the license will authorize to be manufactured or handled; and such further information as the Director may from time to time require.

## Furnishing information upon request.

"SEC. 10. A licensee or an applicant for license under this Act shall furnish such information regarding himself and his business, so far as such business relates to or is connected with explosives or ingredients, at such time and in such manner as the Director or his authorized representative may request. Licensees and applicants who are regularly engaged in the manufacture of explosives or ingredients prior to the date upon which the provisions of this Act are made operative by a proclamation of the President shall not be compelled

## Secret processes.

to disclose secret processes, costs, or other data unrelated to the distribution of explosives or ingredients.

"SEC. 11. No person shall represent himself as having a license issued under this Act, when he has not such a license, or as having a license different in form or in conditions from the one which he in fact has, or without proper authority make, cause to be made, issue or exhibit anything purporting or pretending to be such license, or intended to mislead any person into believing it is such a license, or refuse to exhibit his license to any law-enforcement officer, Federal or State, or to a representative of the Bureau of Mines.

False representations.

Refusal to exhibit license.

Distinctive marking of premises.

"SEC. 12. Every person licensed under this Act to manufacture or store explosives shall clearly mark and define the premises on which his plant or magazine may be and shall conspicuously display thereon the words 'Explosives—Keep Off'.

Exclusion of unauthorized persons.

"SEC. 13. No person, without the consent of the owner or his authorized agents, except law-enforcement officers, the Director and persons designated by him in writing, shall knowingly be in or upon any plant or premises on which explosives are manufactured or stored, or knowingly be in or upon any magazine premises on which explosives are stored. No person shall discharge any firearms or throw, or without the consent of the owner, place any explosives or inflammable bombs at, on, or against any such plant or magazine premises, or cause the same to be done. This section shall not be construed to prohibit the discharge of firearms by law-enforcement officers or others in the lawful performance of their official duties, or to prevent the proof-firing of weapons, projectiles, ammunitions, or explosives or the testing of fuses, detonators, or other materials upon the premises.

Discharge of fire arms.

"SEC. 14. The Director is hereby authorized to investigate all explosions and fires which may occur in mines, quarries, factories, warehouses, magazines, houses, cars, boats, conveyances, and all places in which explosives or ingredients are manufactured, transported, stored, or used. The Director is authorized to investigate all explosions, accidents, or fires, in which there is reason to believe that explosives were involved. The Director may in his discretion report his findings in such manner as he may deem fit to the proper Federal or State authorities to the end that if such explosion has been brought about by a willful act the person or persons causing such act may be proceeded against and brought to justice; or, if the explosion has been brought about by accidental means, that precautions may be taken to prevent similar accidents from occurring. In the prosecution of such investigations the employees under the direction of the Director are hereby granted the authority to enter the premises where such explosion or fire has occurred, to examine plans, books, and papers, to administer oaths to, and to examine all witnesses and persons concerned, without let or hindrance on the part of the owner, lessee, operator, or agent thereof.

Investigation of explosions and fires.

Authority to enter premises, etc.

"SEC. 15. The Director shall exercise the authority conferred upon him by this Act under the supervision of the Secretary of the Interior. The head of any executive department or independent establishment of the Federal Government may cooperate with the Director in the administration and enforcement of this Act and may assign employees to operate under the direction of the Director. The officers and employees of the District of Columbia, and of the Territories and island possessions of the United States and of the municipalities and other political subdivisions thereof, shall cooperate with the Director in the administration and enforcement of this Act. The Director may cooperate with the officers and employees of the several States and of the municipalities and other political subdivisions thereof.

Supervision of Secretary of Interior.

Cooperation of Government agencies, etc.

When such officers and employees act under the direction of the Director, their acts done in the administration and enforcement of this Act shall be deemed to be fully authorized.

Personal services.

42 Stat. 1488.  
5 U. S. C. §§ 661-674.  
*Ante*, p. 613.

"SEC. 16. To administer this Act the Secretary of the Interior may employ such number of employees of the various classes recognized by the Classification Act of 1923 as may be appropriated for by the Congress. The Secretary may appoint as officers or employees persons who volunteer to serve without pay. The Secretary may delegate to subordinates the power to employ.

Unauthorized divulging of information.

"SEC. 17. Without authority from the applicant for a license, from the licensee or from the Director no officer or employee or licensing agent engaged in the administration or enforcement of this Act shall divulge any information obtained in the course of his duties under this Act regarding the business of any licensee or applicant for a license.

Rules and regulations.

"SEC. 18. The Director may issue rules and regulations to effectuate the purposes of this Act, subject to the approval of the Secretary of the Interior.

Penal provisions.

"SEC. 19. Any person violating any of the provisions of this Act or any rules or regulations made thereunder shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment not more than one year, or by both such fine and imprisonment.

Operation of provisions and regulations.

"SEC. 20. The provisions of this Act and the regulations issued hereunder shall become operative only upon a declaration of war or of the existence of a state of war by the Congress, or upon the issuance by the President of a proclamation declaring that there exists a state of war or a national emergency requiring the application of the provisions of this Act to provide for the national defense and security and shall remain operative until the termination of the war, or until such proclamation is revoked by the President.

Short title.

"SEC. 21. This Act shall be known as the Federal Explosives Act."

Approved, December 26, 1941.

#### [CHAPTER 634]

#### AN ACT

December 26, 1941  
[H. R. 4692]  
[Public Law 382]

Relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities.

Veterans' Administration facilities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved June 25, 1910 (36 Stat. 736, 24 U. S. C. 136), be amended to read as follows:

Disposition of personal property of certain deceased veterans.

"SECTION 1. Effective ninety days after the approval of this Act, whenever any veteran (admitted as a veteran) shall die while a member or patient in any facility, or any hospital while being furnished care or treatment therein by the Veterans' Administration, and shall not leave surviving him any spouse, next of kin, or heirs entitled, under the laws of his domicile, to his personal property as to which he dies intestate, all such property, including money and choses in action, owned by said decedent at the time of death and not disposed of by will or otherwise, shall immediately vest in and become the property of the United States as trustee for the sole use and benefit of the General Post Fund, a trust fund prescribed by section 20 (b) (45) of Public Law Numbered 473 of the Seventy-third Congress (31 U. S. C. 725s).

General Post Fund.  
48 Stat. 1224, 1234.

Conditions precedent to care or treatment.

Acceptance of provisions after 90 days.

"The foregoing provisions are conditions precedent to the initial, and also to the further furnishing of care or treatment by the Veterans' Administration in a facility or hospital. The acceptance of care or treatment by any veteran admitted as such to any Veterans'